

**REMARKS**

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-3, 9, and 26-33 were pending in the application, of which Claims 1, 26, and 30 are independent. In the Final Office Action dated April 4, 2006, Claims 1-3, 9, and 26-33 were rejected under 35 U.S.C. § 103(a). Following this response, Claims 1-3, 9, and 26-33 remain in this application. Applicants hereby address the Examiner's rejections in turn.

Applicants thank Examiner Dodds for the courtesy of a telephone interview on June 30, 2006, requested by the undersigned to discuss the rejection of the current claims under 35 U.S.C. § 103. During the interview, Applicants asserted that the none of the cited references discloses “an application name corresponding to the electronic survey, the application name identifies a software application associated with the one or more questions,” “the previously compiled class file is separate from the survey database such that altering the online survey only requires altering the survey database and not the previously compiled class file,” “the executable class file is separate from the survey database such that altering the online survey only requires altering the survey database and the executable class file can be reused without modification,” or “maintaining a response table, the response table comprising the form name, the form name identifies a version number of the survey, a survey table, the survey table includes a question field that stores the one or more questions and a response field that stores the response associated with the one or more questions.” While the Examiner indicated that the proposed claim amendments seem to get around the cited references, no agreement was made regarding rejected claim patentability.

I. Rejection of Claims 1, 9, 26, 29-30, and 33 Under 35 U.S.C. § 103(a)

In the Final Office Action dated April 4, 2006, the Examiner rejected Claims 1, 9, 26, 29-30, and 33 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,477,504 ("*Hamlin*") in view of U.S. Patent No. 6,609,128 ("*Underwood*") and in further view of U.S. Patent Publication No. 2003/0069874 ("*Hertzog*"). Claims 1, 26, and 30 have been amended, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "an application name corresponding to the electronic survey, the application name identifies a software application associated with the one or more questions," "the previously compiled class file is separate from the survey database such that altering the online survey only requires altering the survey database and not the previously compiled class file," "the executable class file is separate from the survey database such that altering the online survey only requires altering the survey database and the executable class file can be reused without modification," and "maintaining a response table, the response table comprising the form name, the form name identifies a version number of the survey, a survey table, the survey table includes a question field that stores the one or more questions and a response field that stores the response associated with the one or more questions." Amended Claims 26 and 30 each includes similar recitations. Support for these amendments can be found in the specification at least on page 2, lines 13-22 and page 10, lines 4-12.

In contrast, *Hamlin* at least does not disclose the aforementioned recitations. For example, *Hamlin* merely discloses that when a network user completes a survey, the survey results are automatically sent over a network system where they are validated and stored in a corresponding storage unit (e.g. database) using validation and insertion commands that are attached to the survey. (See col. 13, lines 45-49.) In addition, *Hamlin* discloses that by interacting with an interface, a client can define questions, select responses, edit, reorder, and view the survey. (See col. 14, lines 12-14.) In addition, the Examiner stated that *Hamlin* does not teach the use of class files, markup languages, field types, application names, form names and version numbers. (See Office Action, page 5, lines 8-9.) Consequently, *Hamlin* discloses automatically sending survey results over a network system where they are validated and stored. In *Hamlin*, a previously compiled class file separated from a survey database such that altering the online survey only requires altering the survey database. In addition, *Hamlin* does not disclose altering an online survey only requires altering the survey database and the executable class file can be reused without modification as recited above. *Hamlin* is completely silent regarding these recitations.

Moreover, *Hertzog* does not overcome *Hamlin*'s deficiencies. *Hertzog* merely discloses that a screen print showing a main window 130 may be generated by a GUI 24. (See paragraph [0109], FIG. 8.) While UIs, in *Hertzog*, are described as being Windows.RTM, UIs may comprise markup language documents generated by a web server. (See paragraph [0109].) Like *Hamlin* *Hertzog* at least does not disclose the aforementioned recitations. Rather *Hertzog* is completely silent regarding these recitations.

In addition, *Underwood* does not overcome *Hamlin's* and *Hertzog's* deficiencies. *Underwood* merely discloses codes table framework design in an E-commerce architecture. Like *Hamlin* and *Hertzog*, *Underwood* at least does not disclose the aforementioned recitations. Rather *Underwood* is completely silent regarding these recitations.

Combining *Hamlin* with *Hertzog* and *Underwood* would not have led to the claimed invention because *Hamlin*, *Hertzog*, and *Underwood*, either individually or in combination, at least do not disclose "an application name corresponding to the electronic survey, the application name identifies a software application associated with the one or more questions," "the previously compiled class file is separate from the survey database such that altering the online survey only requires altering the survey database and not the previously compiled class file," "the executable class file is separate from the survey database such that altering the online survey only requires altering the survey database and the executable class file can be reused without modification," and "maintaining a response table, the response table comprising the form name, the form name identifies a version number of the survey, a survey table, the survey table includes a question field that stores the one or more questions and a response field that stores the response associated with the one or more questions," as recited by amended Claim 1. Amended Claims 26 and 30 each includes a similar recitation. Accordingly, independent Claims 1, 26, and 30 each patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claims 1, 26, and 30.

Dependent Claims 9, 29, and 33 are also allowable at least for the reasons described above regarding independent Claims 1, 26, and 30, and by virtue of their respective dependencies upon independent Claims 1, 26, and 30. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 9, 29, and 33.

II. Rejection of Claims 2-3, 27-28, and 31-32 Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected dependent Claims 2-3, 27-28, and 31-32 under 35 U.S.C. § 103(a) as being unpatentable over *Hamlin* in view of *Hertzog* and *Underwood* further in view of U.S. Patent No. 6,832,239 ("*Kraft*"). Dependent Claims 2 and 3 are patentably distinguishable over the cited art for at least for the reason that they include, due to their dependency on amended independent Claim 1, the recitations stated above with respect to Section I. Dependent Claims 27, 28, 31, and 32 are patentably distinguishable over the cited art for at least for the reason that they include similar recitations.

As stated above, *Hamlin* at least does not disclose the aforementioned recitations. For example, *Hamlin* merely discloses that when a network user completes a survey, the survey results are automatically sent over a network system where they are validated and stored in a corresponding storage unit (e.g. database) using validation and insertion commands that are attached to the survey. (See col. 13, lines 45-49.) In addition, *Hamlin* discloses that by interacting with an interface, a client can define questions, select responses, edit, reorder, and view the survey. (See col. 14, lines 12-14.) In addition, the Examiner stated that *Hamlin* does not teach the use of class files,

markup languages, field types, application names, form names and version numbers. (See Office Action, page 5, lines 8-9.) Consequently, *Hamlin* discloses automatically sending survey results over a network system where they are validated and stored. In *Hamlin*, a previously compiled class file separated from a survey database such that altering the online survey only requires altering the survey database. In addition, *Hamlin* does not disclose altering an online survey only requires altering the survey database and the executable class file can be reused without modification as recited above. *Hamlin* is completely silent regarding these recitations.

Moreover, and as also stated above, *Hertzog* does not overcome *Hamlin's* deficiencies. *Hertzog* merely discloses that a screen print showing a main window 130, according to an exemplary embodiment, may be generated by a GUI 24. (See paragraph [0109], FIG. 8.) While UIs are described as being Windows.RTM, UIs may comprise markup language documents generated by a web server. (See paragraph [0109].) Like *Hamlin*, *Hertzog* at least does not disclose the aforementioned recitations. Rather *Hertzog* is completely silent regarding these recitations.

In addition, and as also stated above, *Underwood* does not overcome *Hamlin's* and *Hertzog's* deficiencies. *Underwood* merely discloses codes table framework design in an E-commerce architecture. Like *Hamlin* and *Hertzog*, *Underwood* at least does not disclose the aforementioned recitations. Rather *Underwood* is completely silent regarding these recitations.

Also, *Kraft* does not overcome *Hamlin's*, *Hertzog's*, and *Underwood's* deficiencies. *Kraft* merely discloses systems for managing network resources. Like *Hamlin*, *Hertzog*, and *Underwood*, *Kraft* at least does not disclose the aforementioned recitations. Rather *Kraft* is completely silent regarding these recitations

Combining *Hamlin*, *Hertzog*, *Underwood*, and *Kraft* would not have led to the claimed invention because *Hamlin*, *Hertzog*, *Underwood*, and *Kraft*, either individually or in combination, at least do not disclose the recitation stated above with respect to Section I, as included in dependent Claims 2 and 3. Dependent Claims 27, 28, 31, and 32 each includes a similar recitation. Accordingly, dependent Claims 2-3, 27-28, and 31-32 each patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of dependent Claims 2-3, 27-28, and 31-32.

### III. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any

such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.


Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,  
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